THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL Nos. 1844 & 1916 of 2005

08-11-2005

Between:

Gadde Raghunatha Rao & Others.

.....APPELLANTS

AND

The Government of Andhra Pradesh, rep. by its Secretary,

Tribal Welfare & Others.

.....RESPONDENTS

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL Nos. 1844 & 1916 of 2005

JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

Heard learned counsel for the parties.

The case of the writ petitioners was that they apprehend dispossession by Tribals with the help of the official respondents. There is nothing pleaded in the writ petitions with regard to any actual threat to their possession. Therefore, in our view, the learned Single Judge was right in holding that the writ petitions were based on apprehension and were premature.

Counsel for appellants submitted that all the authorities have held that the appellants are rightful owners of the land, as they have become owners prior to A.P. Scheduled Areas Land Transfer Regulation, 1959.

While dismissing the writ appeals, we however, observe that in case the appellants are sought to be dispossessed, that shall only be done after following due process of law. No order as to costs.

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(BILAL NAZKI, ACJ)

08th November 2005.

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(R.SUBHASH REDDY, J)

ajr